

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GUARDIAN INDUSTRIES CORP.)
Plaintiff,)
v.) C. A. No. 05-27 (SLR)
DELL, INC.;)
GATEWAY, INC.;)
ACER INC.;)
ACER AMERICA CORPORATION;)
AOC INTERNATIONAL;)
AOC INTERNATIONAL (USA) LTD.;)
AU Optronics CORPORATION;)
AU Optronics CORPORATION AMERICA a/k/a)
AU Optronics AMERICA, INC.;)
BENQ CORPORATION;)
BENQ AMERICA CORPORATION;)
CHUNGHWA PICTURE TUBES, LTD. a/k/a)
CHUNGHWA PICTURE TUBES COMPANY;)
TATUNG COMPANY;)
TATUNG COMPANY OF AMERICA, INC.;)
COMPAL ELECTRONICS, INC.;)
DELTA ELECTRONICS, INC.;)
DELTA PRODUCTS CORPORATION;)
JEAN CO., LTD.;)
LITE-ON TECHNOLOGY CORPORATION:)
LITE-ON, INC. a/k/a LITEON TRADING USA, INC.;)
PROVIEW INTERNATIONAL HOLDINGS, LTD.;)
PROVIEW TECHNOLOGY, INC.; and)
QUANTA DISPLAY, INC.)
Defendants.)
)

STIPULATED ORDER

WHEREAS, defendant Gateway, Inc. is a Delaware corporation;

WHEREAS, Gateway, Inc. and Guardian Industries Corp. have negotiated an agreement regarding response deadlines,

IT IS HEREBY STIPULATED AND AGREED, subject to the approval and order of the Court that:

1. Gateway, Inc. agrees not to file any initial motion to transfer this case to another judicial district, but it will not be precluded from seeking to have the proceedings against it transferred to another judicial district if this Court has already granted a transfer motion of two or more parties.
2. Gateway, Inc. shall answer or otherwise respond to the complaint on or before May 2, 2005.

| | |
|--|--|
| <hr/> <i>/s/ David E. Moore</i> <hr/> Richard L. Horwitz (#2246) David E. Moore (#3983) Potter Anderson & Corroon LLP Hercules Plaza, 6th Floor 1313 N. Market Street P.O. Box 951 Wilmington, Delaware 19899-0951 (302) 984-6000 | <hr/> <i>/s/ Richard K. Herrmann</i> <hr/> Richard K. Herrmann (I.D. No. 405) Mary B. Matterer (I.D. No. 2696) MORRIS JAMES HITCHENS & WILLIAMS 222 Delaware Avenue, 10 th Floor Wilmington, Delaware 19801 (302) 888-6800 |
| Robert J. Gunther, Jr. Kurt M. Rogers Latham & Watkins LLP 885 Third Avenue New York, New York 10022 (212) 906-1200 | Bryan S. Hales Craig D. Leavell Meredith Zinanni Eric D. Hayes KIRKLAND & ELLIS LLP 200 East Randolph Drive Chicago, Illinois 60601 (312) 861-2000 |

Counsel for Gateway, Inc.

Counsel for Guardian Industries Corp.

SO ORDERED this _____ day of _____, 2005.

Judge Sue L. Robinson

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of March, 2005, I electronically filed the foregoing document, **STIPULATED ORDER**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

Richard L. Horwitz, Esq.
 David E. Moore, Esq.
 Potter Anderson & Corroon
 Hercules Plaza, 6th Floor
 1313 N. Market Street
 Wilmington, DE 19801

Jeffrey S. Goddess, Esq.
 Rosenthal Monhail Gross & Goddess, P.A.
 919 Market Street, Suite 1401
 Wilmington, DE 19801

Gerard M. O'Rourke, Esq.
 Connolly Bove Lodge & Hutz LLP
 1007 North Orange Street, P.O. Box 2207
 Wilmington, Delaware 19899-2207

Kevin M. Baird, Esq.
 Young, Conaway, Stargatt & Taylor LLP
 The Brandywine Building
 1000 West Street, 17th Floor
 Wilmington, DE 19801

Additionally, I hereby certify that on the 15th day of March, 2005, the foregoing document was served via email on the following non-registered participants:

Teresa M. Corbin, Esq.
 Howrey Simon Arnold & White LLP
 525 Market Street, Suite 3600
 San Francisco, CA 94105
corbint@howrey.com

York M. Faulkner, Esq.
 Finnegan Henderson Farabow Garrett &
 Dunner, LLP
 Two Freedom Square
 11955 Freedom Drive
 Reston, VA 20190-5675
york.faulkner@finnegan.com

/s/ Richard K. Herrmann

 Richard K. Herrmann (#405)
 MORRIS, JAMES, HITCHENS & WILLIAMS LLP
 222 Delaware Avenue, 10th Floor
 Wilmington, Delaware 19801
 302.888.6800
rherrmann@morrisjames.com

Attorneys for Plaintiff
 GUARDIAN INDUSTRIES CORP.